FOR MYSORE STATE

Public works (1950) Department.

JIWS SERIES.

G.O. NO. 2902.

Dated 8th July 1953.

[Despatch Abstract.]

Electricity Deptt - Estt - Staff of acquired Electrical undertakings - Regular absorption into Government Service - Exemption from undergoing probation in Operation - Subordinate Service and constitution of Spl Cadre in that Service - Proposals Negatived.

(ABSTRACT)

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ELECTRICITY DEPARTMENT - Establishment - Staff of acquired electrical Undertakings - Regular absorption into Government Service - Exemption from undergoing probation in Operation Subordinate Service and constitution of Special Cadre in that Service - Proposals negatived.

Public Works Department

G. O. Ms. No. 2902 — Dated 8th July 1953
Read the following:

From the Chief Engineer (Electricity) letter No.1317 L/52-1, dated 5th July 1952
From the Chief Engineer (Electricity) letter No.1629 L/52-1, dated 19th November 1952.

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O R D E R :

The Chief Engineer (Electricity) has made the following proposals:-

(i) That such of the employees of licensee electric undertakings acquired by the Government as have put in a long service of a number of years under the licensees, may be exempted from undergoing a period of probation when they are absorbed in the Operation Subordinate Service of the Governme Electricity Department.

(ii) That a Special Cadre may be constituted for the absorption of such of the technical staff of the acquired of licensee undertakings as do not possess the requisite qualifi- cations for regular absorption in the Operation Subordinate Service.

2. The Government pass the following orders on the proposals of the Chief Engineer (Electricity):-

PROPOSAL (i) IN PARA 1 ABOVE: The Government see no need to exempt the employees of acquired undertakings ab- sorbed into the Operation Subordinate Service from undergoin a period of probation in accordance with the rules applicable to that service. The probation rule should therefore be insisted on in the case of these employees as is being done i the case of employees of acquired undertakings absorbed into regular State Cadres.

PROPOSAL (ii) IN PARA 1 ABOVE: The proposal of t Chief Engineer (Electricity) is not accepted as the Governme consider that it should be possible for the Department to abs all such employees in suitable posts in the Operation Subordi ate Service itself. The Chief Engineer (Electricity) is requested to take suitable action accordingly wherever neces

3. The proposal in Government Memorandum No.68101- -1, Public Works dated 13th August 1952 for absorption of the technical staff of the undertakings of licensees acquired by Government into a separate branch of the Government Electrici Department will not be pursued.

-2-

4. With reference to the orders in paragraph 2 above, the Chief Engineer (Electricity) is requested to submit proposals at an early date for the absorption into the Operation Subordinate Service of the Electricity Department of the employees of the ex-Madras Electricity Supply Corporation Limited, who have been formed into a Special Cadre with reference to the orders in G.O.Ms.No. 3143, Public Works dated 23rd August 1949.

(By Order of the Governor of Madras)

T.N.G.MANI,
Secretary to Government.

To the Chief Engineer (Electricity)
To the Chief Operation Engineer (North)
To the Chief Operation Engineer (South)
Copy to M Public Works Department for further action with ref. to paragraph 4 above.
Copy for Andhra State Government.
Copy for Mysore Government.

True Copy / Forwarded / By Order

Superintendent.

lvn/-9.7

Extract of notes from the file C.No.68101 I/52.

P.W.(I2)

The file relates to the following matters connected with the absorption into the Govt. Elecy. Dept. of the staff of electrical undertakings of licensees acquired by the Govt.:-

(1) Exempting employees of licensee undertakings who have put in long service of a number of years under the licensees from undergoing a period of probation, when th are absorbed in the Operation Subordinate Service of the Govt. Elecy. Dept.;

(2) Constitution of the technical staff of th company licensees' undertakings acquired by the Govt. into a separate branch of th Govt. Elecy. Dept.;

(3) Absorption into a "Special Cadre" of such of the technical employees of licensee undertakings as do not possess the requisite qualifications for regular absorptio in the Operation Subordinate Service of the Govt. Elecy. Dept.

2. Item (1) in para 1 above. Exemption of licensees' employees from undergoing probation in Operation Subordinate Service - Rule 21 of the Madras Electricity Supply Undertakings (Acquisition Rules 1950, provides that the employees on the staf of a licensee undertaking immediately before the vesting date who are willing to serve under the Govt. on the acquisition of the undertaking by the Govt., shall be retained and continued provisionall in the Govt. Elecy. Dept. service for a total perio not exceeding 24 months on the same pay and other terms and conditions of service as applied to them under the respective licensees as on the vesting date. The rule further provides that during the provisional period, the suitability of the employee

for regular absorption into Govt. service shall be examined by the C.O.E. or the Govt., as the case may be and orders for such absorption passed in the case of every employee before the expiry of the provisional period, the relevant service rules being relaxed in their favour, wherever necessary. In the case of the licensee employees who are to be absorbed into the Operation Subordinate Service of the Govt. Elecy.Dept. it is competent for the C.O.E. himself to take necessary action for their regular absorption and the cases of all other employees have to come up to the Govt. for issue of orders.

The C.E.(E) has stated that in connection with the regular absorption into the Operation Subordinate Service of the subordinate technical staff of acquired undertakings provisionally retained in Govt. service, it is observed that many of them have put in long service of a number of years and has therefore recommended that in the case of such employees who will be absorbed on a pay equal to or about the pay drawn by them under the licensees, no probation need be insisted upon, as required under rule 6 of the Operation Subordinate Service Rules. This Dept. suggested at first that the C.E.(E)'s recommendation at B above might be accepted, subject to the condition that the exemption need not be made applicable to employees who had put in less than a year's service under the licensee before the vesting date. Public (Ser) and Finance Depts. agreed to this suggestion. The L.A. Dept. also accepted the proposal, subject to the suggestion that the period of service put in by the employees under the licensee, even though it was less than one year, might be taken into account for counting the period of probation of those employees in the Operation Subordinate Service. It was pointed out by

this Dept. at this stage that in respect of the staff of acquired undertakings (other than those to be absorbed in the Operation Subordinate Services) whose cases had come up to the Govt. for issue of orders for regular absorption, it was decided by the Govt. not to exempt them from the rule relating to probation and th that, as such, they might be deemed to have been on probation in the Govt. Elecy. Dept. from the date of regular absorption. This principle has been adopted in the case of all employees of acquired undertakings for whose regular absorption orders have so far been issued by the Govt. In view of this position, this Dept. has since expressed the view that its previous suggestion at X overleaf to accept the proposal of the C.E.(E) to exempt such of the staff referred to at B o p. 19 ante from the rule requiring them to be on probation on their absorption into the Operation Subordinate Service, would require revision. The L.A.Dept. which was again consulted in the matter, adheres to it original suggestion at Y on p.19 ante and the Pub.(Ser Dept. has suggested that the C.E.(E) may be consulted on the suggestions of L.A.D. Submitted that in view o the position explained at Z above, it appears undesirable to adopt a different procedure in regard to the probation rule in respect of any of the staff of acquired undertakings absorbed into the Operation Subordinate Service. Any relaxation of the probation rule in respect of the unqualified technical staff alo may amounts to making invidious distinction in the matter of absorption of licensee's staff into Govt. service and lead to a demand for similar relaxation in the case of staff absorbed into regular State Cadre also. In the circumstances, this Dept. may suggest that the recommendation of the C.E.(E) at B on p-19 a may be turned down and he may be told that the rule relating to probation in the Operation Subordinate

Service should be applied without any exception in the case of all employees of licensee undertakings regularly absorbed into that service.

3. Item (2) in para 1 on p.18 ante - Constitution of the technical staff of company licensee undertakings acquired by the Govt. into a separate branch of the Govt. Elect. Dept. This suggestion has been made with reference to the view expressed by the Secretary in another connection, viz. absorption of the members of the M.L.A.E.E. service into Govt. Elecy. Dept. by constituting them into a Separate Branch of the Govt. Elecy. Dept. He has noted as follows in that case:

> "while the C.O.E. has perhaps overpainted the picture..... in come respects, I must concede that the difficulties regarding seniority referred to by him and the criticism deserve consideration. It also seems that so far as technical personnel of private licensees are concerned, it may possibly be necessary to absorb them only only in a separate branch. In any event, their absorption in regular service in the existing categories is likely to present very complicated question regarding fixation of seniority vis-a-vis existing departmental men."

The C.E.(E) who was consulted in the matter, has pointed out that in the case of the members of the Local Authorities Electrical Engineers Service, they belonged to a service controlled by the Govt. with specific scales of pay for the various grades, whereas inthe case of technical staff of company licensees there will be wide disparity in qualifications, experience, scales of pay, allowances etc. as between the staff of one company undertaking and another, and that the number of such staff in each company is also relatively samll. He has stated that it is difficult to constitute all such members into a spearate branch and fix their relative seniority, and provide for promotion within that branch. He has in this connection pointed out that no difficulty has been

experienced in respect of the absorption of qualified technical staff of the company licensees like Madras, Gudiyattam, Neikkppai etc, undertakin which have already been acquired, In the circumst ces, the C.E.(E) considers that there is no need t constitute a separate branch in the Elecy.Dept. fo absorption of all the technical personnel of compa licensees.

The procedure now adopted in regard to the staff of acquired electrical undertakings is to ab qualified members of the technical staff in regula State Cadres, viz. the Madras Electrical Service a the Madras Electrical Subordinate Service, and the qualified members of the technical staff in the Operation Subordinate Service. Proposals for the sorption of qualified men into the first two servi have to come up to the Govt. for approval, while i competent for the concerned C.O.E. himself to appr the absorption of unqualified men into the Operat Subordinate Service.

It may be mentioned in this connection that proposals have already been received from the C.O. for the regular absorption into Govt, service of staff of all the licensee undertakings taken over far by the Govt. These proposals provide for absc tion of qualified technical staff of the concerned undertakings into the Madras Electrical Service or the Madras Electrical Subordinate Service, as the may be, and final orders approving these proposals in all except a few cases, have already been issue There was no difficulty in any of these cases in regard to the absorption of the technical staff co cerned either in regular State Cadres or in the Operation Subordinate Service. In some of the re- maining cases where orders have yet to be issued, proposals have already been accepted in this Dept.

after due consultation with the Public (Ser) and Fin. Depts. and these proposals do not provide for the absorption of any of the technical staff concerned in a separate branch of the Dept. In the above circumstances and in view of the C.E's reasons set out at D on pp.21-22 ante, it is not now considered necessary by this Dept. to pursue the proposal at X on p.21 ante regarding the constitution of the technical staff of licensee's undertakings acquired by the Govt. into a separate branch of the Govt. Elecy.Dept. The L.A., Public(Ser) and Finance Depts, also agree with this view.

4. Item (3) in para 1 on p.18 ante. Absorption into Special Cadre of technical employees of acquired undertakings who do not possess the requisite qualifications for regular absorption into the Operation Subordinate Service. The C.E.(E) has reported that some of the employees of acquired undertakings who have put in long service under the licensees do not possess the requisite qualifications for regular absorption into the coresponding posts in the Operation Subordinate Service of the Govt. Elcy. Dept. He has proposed that such employees may be absorbed in a "Special Cadre" in the Dept. on their existing pay and scale of pay. This proposal of the C.E. is apparently based on the procedure being adopted in regard to the absorption into Govt. service of the non-technical, i.e. clerical etc. staff of licensee undertakings acquired by the Govt. According to this procedure, such of the non-technical staff of the acquired undertakings as do not possess the requisite qualifications for absorption into regular State Cadres -- i.e. the Madras Ministerial Service or the Madras General Subordinate Service, or the Madras Last Grade Service, as the case may be, - are taken over into a "Special Cadre" on the same pay and scale of pay applicable to them under the concerned licensees

as on the vesting date, and the rules relating to t Operation Subordinate Service in the matter of leav probation, provident fund etc. are made applicable to these "Special Cadre" employees also. The Oper ation Subordinate Service of the Govt. Elecy. Dppt- comprises mainly such of those technical employees the Dept. as do not possess the requisite qualifica tions for direct recruitment to the Madras Electric Subordinate Service. The employees in this service are governed by the Operation Subordinate Service Rules, issued in G.O.Ms.No.1667, P.W., dated 10-5-4 and G.O.Ms.No.2275, P.W., dated 23-6-1948 which are non-statutory rules. As pointed out at S on pp.23- above, the non-technical employees of acquired unde takings who are absorbed into "Special Cadre" are a also governed by the rules relating to the Operatio Subordinate Service. Thus it will be seen that except for the difference in the classification of the cadres into "Special Cadre" and "Operation Subordinate Service", the service conditions for both these services are the same. The C.E.(E) has reported in another connection that there are diff- erent scales of pay in the Operation Subordinate Service for posts involving similar type of work an that the existing scales also overlap one another although the posts to which they apply involve simi lar duties. With a view to setting right these anomalies and standardising kk and rationalising th pay scales, the C.E.(E) submitted to Govt. certain proposals. It was also proposed by him in that connection to prescribe revised qualifications with due regard to the standardisation of pay scales proposed. While submitting these proposals, the C.E.(E) himself stated that some of the existing

incumbents in the Operation Subordinate Service who had put in long and meritorious service, but did not possess the revised minimum qualifications proposed to be fixed for the concerned posts, should be given special consideration and granted necessary exemption in respect of qualifications. The proposals of the C.E.(E) which were considered as a Part II Scheme for 1953-54 were not, however, accepted by the Govt. in view of the present financial position.

The intentions underlying the present proposal of the C.E.(E) to absorb the unqualified technical staff of acquired electrical undertakings into two categories, viz., into the existing Operation Subordinate Service Branch and into a "Special Cadre", are not clear. As already pointed out above, the service rules governing the conditions of service of the staff in the Operation Subordinate Service are only "non-statutory" or 'executive" rules and these rules are not so rigorous as those governing the staff in regular State Service Cadres. In view of the position stated at on p.24 ante, this Dept. has pointed out that there need be no difficulty in absorbing all the unqualified technical staff of acquired undertakings into one single branch, viz. the Operation Subordinate Service of the Govt. Elecy. Dept. As a matter of fact, it may be pointed out, that under the Acquisition Rules, the Govt. of the C.O.E. concerned, as the case may be, have to pass orders for the regular absorption of the staff of acquired undertakings provisionally retained in Govt. service before the expiry of 24 months from the vesting date. This time limit having expired in the case of most of the undertakings of private and local authority licensees taken over by the Govt. so far, the C.O Es. concerned must already have issued orders in the case of all such undertakings, for the absorption of all the unqualified tnx

technical staff of these undertakings under some category or other of the Operation Subordinate Service. In the circumstances, it seems now hardly necessary to accept the proposal of the C.E.(E) for the creation of a Special Cadre for the absorption the unqualified technical staff of licensee undertakings taken over by the Govt. The L.A., Public (Ser) and Finance Departments have also agreed with this view.

It may be mentioned here that in connection with the acquisition of the Madras Electric Supply Corporation undertaking by the Govt. in August 194 the technical employees of that undertaking who did not possess the required qualifications, or were drawing higher salaries than those applicable to corresponding posts in the State Govt. Service, we taken over into a "Special Cadre". It has been proposed by this Dept. that if the present proposal at 'C' on p.25 ante is to be approved, the C.E.(E) may be asked to reconsider the case of the M.E.S.C staff referred to above and submit proposals for regularaly absorbing them into the Operation Subordinate Service.

5. The file may be circulated to M (P.W), M (L.A) and M (Finance) for approval of the proposal at A, B and C on pp. 20-21, 23 and 25 ante viz:

(1) That it is not necessary to accept the proposal of the C.E.(E) that the employe of acquired electrical undertakings who have put in long service of a number of years under the respective licensees pri to the vesting date, be exempted from un going probation when they are absorbed i the Operation Subordinate Service of the Govt. Elecy. Dept-

(2) That it is not necessary to pursue the proposal that the technical staff of acquired undertakings (including those possessing requisite qualifications for absorption into regular State Cadres) be constituted into a separate branch of the Govt, Elcy. Dept.

(3) That it is not necessary to accept the proposal of the C.E.(E) that the technical staff of acquired undertakings who do not possess the requisite qualifications for absorption into the Operation Subordinate Service, be constituted into a "Special Cadre" and that he may be instructed that such employees also may be absorbed in suitable posts in the Operation Subordinate Service itself.

K.S.M/30-5-53

V.M.V/1-6-53

T.V.N/2-6-53

V.V/6.6.53

T.M.S/M/8-6-53

M(P.W) N.R.R/10-6-53

M(L.A) N.S. /11.6.53

M(Fin.) C.S/12.6.53

Please see the orders in circulation above. Draft order submitted below is for approval. L.A. and Pub.(Services) Departments may see before issue.

T.P.K/18-6-53

L.A.
Pub(Ser.)

L.A.DEPT.(F)

(previous notes of this Deptt. on p. 16 above).

The subsequent notes on p.17, the orders in circulation on pp.18-27 above and the draft order below may be perused and the file may be passed on to Public (Service) Deptt. U.O.

...../24.6.53

Pub.(Ser.)Dept.

(Previous note of this dept. on p.12 above)

The orders in circulation from XX ib p.26 above and the draft order may be perused and the file returned to th P.W.D.

P.W.D.(I2)

Please see the notes of L.A. and Pub.(Ser.) on pp.27-28 above. The draft order below may now issue.

T.P.K/6-7-53

T.M.S.M/7.7.53

(True Extract)

lvn/-9.7

Superintendent

Copy of letter No.1317-L/52-1, dated 5th July 1952 from the Chief Engineer for Electricity, 157 Mount Road, Madras to the Secretary to Government, P.W.D Madras.

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Sub: ELECTRICITY - Madras Electricity Supply Undertakings (Acquisition) Act, 1949 - Permenent absorption of licensees' staff taken over - Exemption from undergoing probation under Operation Subordinate Service - Rules and Constitution of Special Cadre.

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While approving the provisional continuance of the licensees' staff taken over along with the several Electrical Undertakings under the provisions of the ~~Electric~~ Madras Electricity Supply Undertakings (Acquisition) Act, 1949, the Government confirmed that the proposals for permanent absorption of technical subordinate staff into suitable posts in the Operation Subordinate Service can be approved by the concerned Chief Operation Engineer without reference to Government.

2. From the proposals so far received from the field, it is observed that many of the employees taken over have put in long years of service. Some of the staff either do not possess the necessary qualification as recommended in my letter No.6016-D/50-12, dated 28-1-52 for absorption in the corresponding posts in the Operation Subordinate Service of the Department or have completed 25 years of age on the vestubg date.

3. In the case of employees who have completed 25 years of age on the vesting date the rule relating to age limit will be relaxed in their favour with reference to proviso to Rule 5 of the Operation Subordinate Service rules. I consider that in respect of employees who have put in long years of service and who will be absorbed on pay equal to or about the pay drawn under the licensee, no probation need be insisted. I therefore request that the Chief Operation Engineers may be authorised to relax the rules relating to probation in cases of the one cited above by incorporating a proviso to rule 6 of the Operation Subordinate Service Rules as indicated below:

> "Provided that this rule may be relaxed by the Chief Operation Engineers where necessary in cases of permenent absorption of licensees staff taken over from the various Electrical Undertakings acquired under the Madras Electricity Supply Undertakings (Acquisition) Act, 1949"

4. Employees who do not possess the requisite qualification for absorption in the corresponding post in the Operation Subordinate Service are proposed to be absorbed in "Special Cadre" on their existing pay and scale of pay. In case where there are no scales of pay under the licensee, they will be absor-bed in a suitable scale of pay with reference to their pay etc. under the licensee. For instance an employee drawing a pay of Rs.55 plus a D.A. of Rs.5 per mensem will be absorbed as a wireman or in any other suitable post on a scale of Rs.45-2-65/. They will however, be governed by the rules applicable to Operation Subordinate Service staff in respect of leave, penalties etc.

5. I request approval of Government may please be accorded for (i) the proposal in paragraph 3 above and (ii) for constitution of "Special Cadre" and for absorbing the staff in suitable scales of pay in the Department.

TRUE COPY

Copy of memorandum No,68101-I/52-1, Public Works,
dated the 13th August 1952.

Sub: Electricity Department - Establishment - Staff of company licensee undertakings acquired by Government - Absorption into Government service.

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It has been decided by the Government to absorb the members of Madras Local Authority Electrical Engineer Service into the Government Electricity Department by constituting them ~~wi~~ into a separate branch of the Department. Orders in this regard are expected to be issued shortly. In this connection it has been suggested that so far as technical personnel of company licensees are concerned, it may be necessary to absorb them also in a separate branch only as in the case of the members of the Madras Local Authority Electrical Engineer Service, since their absorption into regular service in the existing categories is likely to present very complicated questions regarding fixation of seniority, etc., vis-a-vis, existing departmental men. The Chief Engineer (Electricity) is requested to offer his remarks on the above suggestions at a very early date.

(True Copy)

Superintendent.

EVN10/7/

Copy of letter from the Chief Engineer for Electricity to the Secretary to Government, Public Works Department No.1629-L/52-1 dated 19-11-1952.

Sub: Establishment - staff of Company licensees' undertakings acquired by Government - Absorption into Government service

Ref: Government Memo.No.68101-I/52-1, dated 13-8-1952.

With reference to the Government Memorandum cited above, I have to state that it does not appear necessary to follow the same procedure in regard to absorption of technical staff of company licensees' undertakings as has been decided in the case of absorption of members of the Madras Local Authorities Electrical Engineers Service.

2. In the case of members of the Madras Local Authorities Electrical Engineers Service they belonged to a service controlled by the Government with specific scales of pay for the various grades. Even after merger they could be in a special cadre with the existing chances of promotion etc. with in such a cadre unaffected. On the other hand the absorption of the individual members into the regular services of the Department presented difficulties in fixing seniority in the department etc. In the case of technical staff of company licensees' undertakings there will be wide disparity in qualifications, experience scales of pay, allowances etc. between Company and Company and the number in each Company is relatively small. It is difficult to constitute all such members into a separate branch, fixing their relative seniority and providing for promotion within that branch etc. On the other hand it would be administratively convenient to absorb the qualified members into the Departmental grade straight away on the already approved basis viz., seniority being fixed with reference to date of absorption as was done in the case of Madras Electric Supply Corporation, Gudiatham, Neikuppai etc.

3. The procedure that is now adopted is to absorb fully qualified candidates in corresponding categories of the regular services viz., the Madras Electrical Service, the Madras Electrical Subordinate Service or the Operation Subordinate Service. Members who are not fully qualified or who, though qualified will get a large increase in pay if they are brought on to the departmental scales on absorption are being proposed for absorption in a special cadre on their existing pay and scale of pay. The intention is that in such cases the work of the members will be watched and that they will be considered for absorption in regular service relaxing qualifications etc. if necessary if and when the Department is satisifed that they are suitable for such absorption. The special cadre will thus gradually extinguish itself.

4. In this connection I would also state that although members of the Madras Local Authorities Electrical Engineers' Service have been proposed for absorption in a separate branch for specific reasons, the technical subordinates in local authorities electrical undertakings are being taken over into the regular services on the lines explained in para.3. No difficulty has also been experienced in the matter of absorption of qualified technical staff of the Company undertakings taken over so far - Madras, Gudiyatham, Neikuppai and Okkur and no difficulty is anticipated in regar to absorption of technical staff of the Company undertakings taken over under the Acquisition Act.

5. For the reasons stated above, I do not think it i necessary to constitute a separate branch for absorption of all the technical personnel of company licensees.

/True Copy/